

Application No. 09/575,845  
Reply to Office Action dated August 2, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method in a computer system for assessing brand recognition of trade marks and service marks, comprising:

displaying a shopping list;

displaying at least two brand-related trade or service marks as alternate activation mechanisms to print the displayed a-shopping list, wherein each mark is at least one of a service mark or a trade mark; and

determining relative-consumer awareness of the at least two marks relative to each other by tracking a number of times each of the at least two marks is selected to activate printing the shopping list.

2. (Currently Amended) The method of claim 1 wherein the determining of relative-consumer awareness of the at least two marks relative to each other further comprises:

determining a frequency of selection of a first mark relative to a frequency of selection of a second mark.

3. (Currently Amended) The method of claim 1 wherein the determining of relative-consumer awareness of the at least two marks relative to each other further comprises:

storing an indication of the at least two marks that are displayed;

receiving an indication of a selected mark; and

storing a designation of which of the at least two marks was selected.

4. (Canceled)

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5. (Currently Amended) The method of claim 1 wherein the displaying the at least two trade or service marks as alternate activation mechanisms further comprises:  
displaying a generic shopping list that presents at least one product icon.

6. (Currently Amended) The method of claim 1 wherein the determining relative-consumer awareness of the at least two marks relative to each other further comprises:  
associating with the at least two marks an enticement to select a mark.

7. (Previously Presented) The method of claim 6 wherein the associating the enticement to select the mark further comprises:  
associating a profit-sensitive giveaway with at least one of the at least two marks.

8. (Previously Presented) The method of claim 7 wherein the associating the profit-sensitive giveaway with the at least one of the at least two marks further comprises:

comparing a cost of the giveaway against a net profit when the net-profit exceeds a net-profit threshold; and

activating the profit-sensitive giveaway when the comparison shows that the net profit exceeds the cost of the giveaway by a predefined multiple.

9. (Previously Presented) The method of claim 8 wherein the comparing the cost of the giveaway against the net profit further comprises:

comparing a cost of an average grocery purchase against the net profit.

10. (Previously Presented) The method of claim 8 wherein the comparing the cost of the giveaway against the net profit further comprises:

comparing a cost of new automobile against the net profit.

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11. (Previously Presented) The method of claim 8 wherein the activating the profit-sensitive giveaway further comprises:

receiving from a retailer an indication that a rebate vehicle associated with the profit-sensitive giveaway has been redeemed;

comparing an identity of the retailer against a list of giveaway participants; and

deactivating the profit sensitive giveaway when the retailer is not a giveaway participant on the list.

12. (Previously Presented) The method of claim 11 wherein the receiving of the indication that the rebate vehicle associated with the profit-sensitive giveaway has been redeemed further comprises:

determining that a secret bar code is encoded in the rebate vehicle; and

comparing the determined secret bar code with a list of secret bar codes associated with at least one giveaway participant.

13. (Previously Presented) The method of claim 8 wherein the activating of the profit-sensitive giveaway further comprises:

transmitting data to cause printing of a rebate vehicle which, when redeemed, causes the giveaway to be activated.

14. (Previously Presented) The method of claim 13 wherein the transmitting data to cause printing of the rebate vehicle further comprises:

transmitting data to cause printing of a bar code which, when scanned, causes the giveaway to be activated.

15. (Currently Amended) A method in a computer system for determining relative-consumer awareness of at least two brand-related trade or service marks relative to each other, comprising:

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receiving electronically an indication of at least two brand-related trade or service marks and an indication of a selected one of the at least two marks, ~~wherein each mark is at least one of a service mark or a trade mark;~~ and

retrieving an electronically stored accounting of past activations of the at least two marks used to print a shopping list or to execute a logout command; and

based upon the accounting of past activations, determining a frequency of selection of one of the at least two marks relative to another one of the at least two marks, thereby measuring consumer awareness of the at least two marks.

16. (Previously Presented) The method of claim 15 wherein the receiving of the indication of the selected one of at least two marks further comprises:

receiving the indication of the selection via a graphical user interface.

17. (Previously Presented) The method of claim 15 wherein the retrieving an accounting of past activations of the at least two marks further comprises:

determining the frequency of selection of one of the at least two marks relative to another one of the at least two marks using statistical methods.

18. (Currently Amended) A system for evaluating brand recognition of trade marks and service marks, comprising:

means for displaying a shopping list

means for displaying at least two brand-related trade or service marks as alternate activation mechanisms to print a the displayed shopping list, ~~wherein each mark is at least one of a service mark or a trade mark;~~ and

means for determining ~~relative~~ consumer awareness of the at least two marks relative to each other by tracking a number of times each of the at least two marks is selected to activate printing the shopping list.

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19. (Currently Amended) The system of claim 18 wherein the means for determining ~~relative-consumer awareness of the at least two marks~~ relative to each other further comprises:

means for determining a frequency of selection of a first mark relative to a frequency of selection of a second mark.

20. (Currently Amended) The system of claim 18 wherein the means for determining ~~relative-consumer awareness of the at least two marks~~ relative to each other further comprises:

means for storing an indication of the at least two marks that are displayed;  
means for receiving an indication of a selected mark; and  
means for storing a designation of which of the at least two marks was selected.

21. (Canceled)

22. (Currently Amended) The system of claim 18 wherein the means for displaying the at least two trade or service marks as alternate activation mechanisms further comprises:

means for displaying a generic shopping list that presents at least one product icon.

23. (Currently Amended) The system of claim 18 wherein the means for determining ~~relative-consumer awareness of the at least two marks~~ relative to each other further comprises:

means for associating with the at least two marks an enticement to select a mark.

24. (Previously Presented) The system of claim 23 wherein the means for associating the enticement to select a mark further comprises:

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means for associating a profit-sensitive giveaway with at least one of the at least two marks.

25. (Previously Presented) The system of claim 24 wherein the means for associating a profit-sensitive giveaway with the at least one of the at least two marks further comprises:

means for comparing a cost of the giveaway against a net profit when the net-profit exceeds a net-profit threshold; and

means for activating the profit-sensitive giveaway when the comparison shows that the net profit exceeds the cost of the giveaway by a predefined multiple.

26. (Previously Presented) The system of claim 25 wherein the means for comparing the cost of the giveaway against the net profit further comprises:

means for comparing a cost of an average grocery purchase against the net profit.

27. (Previously Presented) The system of claim 25 wherein the means for comparing the cost of the giveaway against the net profit further comprises:

means for comparing a cost of new automobile against the net profit.

28. (Previously Presented) The system of claim 25 wherein the means for activating the profit-sensitive giveaway further comprises:

means for receiving from a retailer an indication that a rebate vehicle associated with the profit-sensitive giveaway has been redeemed;

means for comparing an identity of the retailer against a list of giveaway participants; and

means for deactivating the profit sensitive giveaway when the retailer is not a giveaway participant on the list.

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29. (Previously Presented) The system of claim 28 wherein the means for receiving the indication that the rebate vehicle associated with the profit-sensitive giveaway has been redeemed further comprises:

means for determining that a secret bar code is encoded in the rebate vehicle; and

means for comparing the determined secret bar code with a list having of secret bar codes associated with at least one giveaway participant.

30. (Previously Presented) The system of claim 25 wherein the means for activating the profit-sensitive giveaway further comprises:

means for transmitting data to cause printing of a rebate vehicle which, when redeemed, causes the giveaway to be activated.

31. (Previously Presented) The system of claim 30 wherein the means for transmitting data to cause printing of the rebate vehicle further comprises:

means for transmitting data to cause printing of a bar code which, when scanned, causes the giveaway to be activated.

32. (Currently Amended) A system for determining relative—consumer awareness of at least two brand-related trade or service marks relative to each other, said system comprising:

means for receiving an indication of at least two brand-related trade or service marks and an indication of a selected one of the at least two marks; and

means for retrieving an accounting of past activations of the at least two marks used to print a shopping list or to execute a logout command to determine frequency of selection of one of the at least two marks relative to another one of the at least two marks, thereby measuring consumer awareness of the at least two marks.

33. (Previously Presented) The system of claim 32 wherein the means for receiving the indication of the selected one of the at least two marks further comprises:

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means for accepting input that indicates the selection via a graphical user interface.

34. (Previously Presented) The system of claim 32 wherein the means for retrieving an accounting of past activations of the at least two marks further comprises:

means for determining the frequency of selection of one of the at least two marks relative to another one of the at least two marks using statistical methods.

35. (Previously Presented) The method of claim 15 wherein the determining the frequency of selection of one of the at least two marks further comprises:

electronically transmitting data to indicate the frequency of selection of the one of the at least two marks relative to the another.

36. (Previously Presented) The system of claim 32 wherein the means for retrieving the accounting of past activations of the at least two marks to determine frequency of selection further comprises:

means for transmitting data to indicate the frequency of selection of the one of the at least two marks relative to the another.

37. (Currently Amended) A method in a computer system comprising:

displaying on a display device of the computer system at least two brand-related trade or service marks as alternate activation mechanisms to print a shopping list displayed on the display device; and

in response to receiving an indication of a selected one of the displayed at least two marks;

transmitting data that indicates the selected mark; and

causing the computer system to print the shopping list to be printed.

38. (Canceled)



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39. (Currently Amended) The method of claim 37 wherein the displaying the at least two trade or service marks as alternate activation mechanisms further comprises:

displaying a generic shopping list having at least one product icon that is one of the at least two trade or service marks.

40. (Currently Amended) The method of claim 37 wherein the displaying of the at least two trade or service marks as alternate activation mechanisms further comprises:

displaying in proximity to the at least two marks an enticement to activate a mark.

41. (Previously Presented) The method of claim 40 wherein the displaying the enticement to activate the mark further comprises:

displaying a notice that activating at least one of the at least two marks might result in a giveaway.

42. (Currently Amended) A system comprising:

means for displaying on a display device at least two brand-related trade or service marks as alternate activation mechanisms for printing a shopping list displayed on the display device;

means for receiving an indication of a selected one of the displayed at least two marks; and

means for transmitting data that indicates the selected mark; and

causing the system to print the shopping list to be printed in response to receiving the indication of the selected mark.

43. (Canceled)

44. (Currently Amended) The system of claim 42 wherein the means for displaying the at least two trade or service marks as alternate activation mechanisms further comprises:

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means for displaying a generic shopping list having at least one product icon that is one of the at least two trade or service marks.

45. (Currently Amended) The system of claim 42 wherein the means for displaying the at least two trade or service marks as alternate activation mechanisms further comprises:

means for displaying in proximity to the at least two marks an enticement to activate a mark.

46. (Previously Presented) The system of claim 45 wherein the means for displaying the enticement to activate the mark further comprises:

means for displaying a notice that activating at least one of the at least two marks might result in a giveaway.

47. (Currently Amended) A method in a computer system for measuring brand recognition through selection of brand-specific trade or service marks, comprising;

displaying on a display device a plurality of brand-specific trade or service marks, which, when selected, ~~initiate~~ activate an application-specific command to print a shopping list or to initiate sign-off from the application; and

measuring brand recognition by tracking a frequency each of the plurality of trade or service marks is selected to ~~initiate~~ activate the application-specific command.

48. (Canceled)

49. (Currently Amended) The method of claim 47 wherein the measuring brand recognition by tracking the frequency of each of the plurality of trade or service marks further comprises:

tracking the frequency of selection of each of the plurality of trade or service marks based upon the ordering of presentation of the marks.

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50. (Previously Presented) The method of claim 49, further comprising:  
ordering a later presentation of the plurality of marks based upon the tracked frequency of selection that is associated with a tracked ordering.

51. (Previously Presented) The method of claim 50 wherein the ordering the later presentation of the plurality of marks further comprises:  
presenting the plurality of marks with the most selected marks presented first.

52. (Currently Amended) A system for measuring brand recognition through selection of brand-specific trade or service marks, comprising:  
display mechanism that ~~transmits data to~~ causes display of a plurality of brand-specific trade or service marks, which, when selected, ~~initiate~~ activate an application-specific command to print a shopping list or to initiate sign-off from the application; and  
tracking mechanism that is structured to measure brand recognition by tracking a frequency each of the plurality of trade or service marks is selected to ~~initiate~~ activate the application-specific command.

53. (Canceled)

54. (Currently Amended) The system of claim 52 wherein the tracking mechanism is further structured to track the frequency of selection of each of the plurality of trade or service marks based upon the ordering of presentation of the marks.

55. (Previously Presented) The system of claim 54 wherein the tracking mechanism is further structured to order a later presentation of the plurality of marks based upon the tracked frequency of selection that is associated with a tracked ordering.

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56. (Previously Presented) The system of claim 55 wherein the tracking mechanism orders the later presentation of the plurality of marks by presenting the plurality of marks with the most selected marks presented first.

57. (Currently Amended) A computer-readable memory medium containing instructions for controlling a computer processor to measure brand recognition through selection of brand-specific trade or service marks, by;

~~transmitting data to cause display of~~ displaying a plurality of brand-specific trade or service marks, which, when selected, ~~initiate-activate~~ an application-specific command to print a shopping list or to initiate sign-off from the application; and

measuring brand recognition by tracking a frequency each of the plurality of trade or service marks is selected to ~~initiate-activate~~ the application-specific command.

58. (Canceled)

59. (Currently Amended) The memory medium of claim 57, comprising further instructions that control the computer processor by:

tracking the frequency of selection of each of the plurality of trade or service marks based upon the ordering of presentation of the marks.

60. (Currently Amended) A computer-readable memory medium containing instructions for controlling a computer processor to assess brand recognition, by:

displaying a shopping list;

displaying at least two brand-related trade or service marks as alternate activation mechanisms to print a ~~the displayed~~ shopping list, ~~wherein each mark is at least one of a service mark or a trade mark;~~ and

determining ~~relative~~ consumer awareness of the at least two trade or service marks relative to each other by tracking a number of times each of the at least two marks is selected to activate printing the shopping list.

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61. (Currently Amended) A computer-readable memory medium containing instructions for controlling a computer processor to determine ~~relative consumer awareness of at least two brand-related~~ trade or service marks relative to each other, by:

receiving an indication of at least two brand-related trade or service marks and an indication of a selected one of the at least two marks, ~~wherein each mark is at least one of a service mark or a trade mark~~; and

retrieving an accounting of past activations of the at least two marks used to print a shopping list or to execute a logout command; and

based upon the accounting of past activations, determining frequency of selection of one of the at least two marks relative to another one of the at least two marks, thereby measuring consumer awareness of the at least two marks.

62. (Currently Amended) A computer-readable memory medium containing instructions for controlling a computer processor by:

displaying a shopping list;

displaying at least two brand-related trade or service marks as alternate activation mechanisms to print a ~~the~~ shopping list;

receiving an indication of a selected one of the displayed at least two marks;

in response to receiving the indication of the selected mark, transmitting data that indicates the selected mark; and

causing the shopping list to be printed.

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